Service Policy: PODPOL09
Anti-Bullying and Harassment Policy

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Vers	Date	Author	Reasons for Change
1.0	11.4.2011	[redacted]	Update policy in line with changes to legislation
2.0	Sept 2014	[redacted]	Conversion on to the new template. Focused the Policy on support for MFRA employees.
2.1	April 2016	[redacted]	Annual Review
2.2	April 2017	[redacted]	Annual Review
2.3	April 2018	[redacted]	Annual review and update to reflect EHRC guidance.
2.4	April 2019	[redacted]	Annual review
2.4	March 2020	[redacted]	Annual Review
2.5	February 2023	[redacted]	Planned review
2.6	February 2024	[redacted]	Annual review
2.5	October 2024	[redacted]	Update to changes in statute law
2.6	February 2026	[redacted]	Language update

Equalities Impact Assessment:

Initial	Full	Date	Reviewed by	Comments
	X	2023	ED&I Team	Located on Portal

Civil Contingencies Impact Assessment:

Date	Reviewed by	Comments

Related Documents:

Doc. Type	Ref No.	Title	Location
SI		Conduct	POD portal
SI		Capability	POD Portal
SI		Grievance	POD portal
Procedure		Ground Rules	Equality portal site
SI		Preventing Sexual harassment in the Workplace	POD Portal
Fire Standard		Code of Ethics	Portal
Fire Standard		Leading the Service	Portal

Distribution List:

Name	Position	Department

Sign-Off List:

Name	Position

Target Audience:

All MFRS	Principal Officers	Senior Officers	Operational Crews	Fire Safety	Community Fire Safety	Support Staff
X						

Ownership:

FOI exemption required?	Yes		URL	
	No	X	Reason	

Legislation:

Title	Equalities Act 2010, Protection from Harassment Act 1997 Worker Protection (Amendment of Equality Act 2010) Act 2023.

Contact:

Department	Email	Telephone ext.
POD	[redacted]	[redacted]

POLICY

PODPOL09 Anti-Bullying & Harassment Policy

1. Policy Introduction and Background:

The purpose of this Policy is to assist in developing and encouraging a working environment and culture in which all types of harassment and bullying are unacceptable and subject to challenge. The Policy outlines definitions for bullying, harassment and sexual harassment and what individuals and managers should do if they encounter such behaviour.

All MFRS employees and volunteers have the right to work in an environment, which is free from bullying and harassment including sexual harassment. MFRS is committed to providing a workplace in which all employees are given the dignity and respect to which they are entitled.

MFRS will not tolerate any forms of Bullying and Harassment. This includes but is not limited to:

- Employee to employee; or volunteer to volunteer
- From third parties e.g. contractors or suppliers to employees or volunteers
- From visitors to MFRS premises towards employees or volunteers
- From members of the public towards employees or volunteers

Everyone should respect the feelings and sensibilities of others in the workplace, and behave in a way, which takes this into account. In some instances, individuals may be genuinely unaware that their behaviour is causing offence, but it is the responsibility of everyone to be sensitive to the impact their conduct may have on colleagues.

MFRS has a legal responsibility to ensure, as far as is reasonably practicable, the health and safety of all employees and a working environment that is free from unlawful discrimination. The purpose of this policy is to ensure that employees are aware of how their actions and language may be perceived by others and encourage employees to be mindful that individuals can have very different views about what behaviour is appropriate and acceptable.

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Employees must be aware that this policy extends to work events and social gathering where people from the workplace gather or where external third parties may harass an employee.

2. Policy Explanation:

Everyone has a responsibility to comply with this Policy and all employees should ensure that their behaviour towards colleagues does not unreasonably cause offence and could not in any way be considered bullying or harassment. To assist the service outlines its expectations clearly.

Employee code of Conduct

We know that the community's trust in and the reputation of Merseyside Fire and Rescue Service is based upon professionalism and care. Employees are expected to conduct themselves at all times (both inside and outside of work) in a manner which will maintain public confidence in their integrity and the services provided by the Authority. These expectations of conduct are set out in detail in our Employee Code of Conduct here.

MFRS's Ground Rules provide a simple visual illustration of the standards we expect and how we welcome difference and individuality. They have been developed to help us create a sense of belonging in the most inclusive way and outline some keys, simple rules surrounding how we act.

Core Code of Ethics

The national Core Code of Ethics for Fire and Rescue Services in England was developed in partnership with the National Fire Chiefs Council, Local Government Association, and the Association of Police and Crime Commissioners to support a consistent approach to ethics, including behaviours, by fire and rescue services in England.

The aim of the code is to improve organisational culture and workforce diversity of FRSs, ensuring that communities are supported in the best way.

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For Merseyside Fire and Rescue Authority, these are embedded into our Leadership Message, behavioural Ground Rules and Employee Code of Conduct. They are at the heart of what we are as an organisation and shape how our people behave in work and in our communities.

The Core Code sets out five ethical principles, based on the Seven Principles of Public Life, which alongside the accompanying guidance provides a basis for promoting good behaviour and challenging inappropriate behaviour.



- Putting our communities first – we put the interest of the public, the community and service users first.
- Integrity – we act with integrity, including being open, honest and consistent in everything we do.
- Dignity and respect – making decisions objectively based on evidence, without discrimination or bias.
- Leadership – we are all positive role models, always demonstrating flexibility and resilient leadership. We are all accountable for everything we do and challenge all behaviour that falls short of the highest standards.
- Equality, diversity, and inclusion (EDI) – We continually recognise and promote the value of EDI both within the FRSs and the wider communities in which we serve. We stand against all forms of discrimination, create equal opportunities, promote equality, foster good relations, and celebrate difference.

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3. Policy Implementation:

Raising a complaint

Employees who experience bullying or harassment, will be able to raise the issue with a Manager, Professional Standards, Trade Union Representative, or via our independent confidential reporting line 'Safecall' in the knowledge that the matter will be treated effectively, sympathetically, confidentially and with anonymity if required.

Confidential Anonymised Reporting Line

Safecall is an independent external reporting line where you may raise your concerns and be assured, they will be fully addressed. All calls are treated with utmost confidentiality by independent staff. If you wish, you are able to raise a complaint without disclosing your name to **Safecall or Merseyside Fire & Rescue Service.**

Safecall can be reached on 0800 915 1571 .
or https://www.safecall.co.uk/clients/merseyside-frs/

The availability and use of a confidential anonymised reporting line is supported by all representative bodies.

Service Actions

We will : -

- Assist and support employees who require help in addressing problems arising from bullying or harassment,
- Remove fears of stigmatisation or victimisation for employees who have reported bullying, harassment or discrimination,
- Ensure employees seeking assistance are confident that their situation will be handled seriously, compassionately, and confidentially by all those involved.
- Provide welfare support to employees who raise issues and other parties involved.
- Monitor submitted complaints and outcomes as part of assessing whether disproportionality occurs towards any protected characteristics.

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All allegations relating to bullying or harassment will be investigated appropriately and this may result in formal action being taken in accordance with the Services' conduct procedures.

MFRS will also take seriously any allegations proven to have been made maliciously, mischievously or vexatious. Instances where employees are found to have made malicious allegations will be considered in accordance with the Services' conduct procedures.

The aim is to provide the support needed to help individuals decide the best course of action and to resolve the issues raised, whilst also maintaining MFRS's duty as a responsible employer to address unacceptable behaviour.

It is very important for all parties involved in any bullying and harassment complaint to maintain confidentiality.

Definitions

Bullying

ACAS describe bullying as, offensive, intimidating, malicious or insulting behaviour, an abuse or any misuse of power regardless of role or status through means intended to undermine, humiliate, denigrate or injure the recipient.

Harassment

This is defined in the Equality Act 2010 as, unwanted conduct related to one of the relevant protected characteristics which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. It is unlawful.

Sexual Harassment

Is defined as 'unwanted verbal, non-verbal or physical conduct of a sexual nature which has the purpose or effect of violating the recipient's dignity, or of creating an intimidating, hostile, degrading, humiliating or offensive environment for the recipient. It is unlawful.

Employees can make a complaint even if the unacceptable behaviour is not directed at them.

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It can be due to their association with someone who has one of the protected characteristics for example, a disabled family member.

Alternatively, a perpetrator may have the mistaken perception that the recipient possesses one of the relevant protected characteristics even if they do not, for example, harassing a person because they think the recipient is gay, even though he/she is heterosexual.

Examples of unacceptable behaviour (not exhaustive):

- Unnecessary and unwanted physical contact ranging from touching to serious assault
- Personal insults and name-calling
- Public humiliation, derogatory or belittling remarks concerning job performance or personal attributes
- Unwelcome advances, attention, invitations or propositions
- Unwelcome lewd references to a person's physical features, figure or dress
- Unwelcome discussion of the effects of a disability on an individual's personal life
- Verbal or written harassment (e.g. offensive letters, telephone calls, texts, chat groups or e-mail) jokes, racist, sexual or homophobic remarks, offensive language, gossip or slander, derogatory name calling or ridicule for physical or cultural difference, age, physical impairment, or religious belief.
- Visual displays of inappropriate posters, graffiti, emblems or other offensive material
- Suggestive and unwelcome comments or attitudes, insulting behaviour or obscene or offensive gestures either in person, in writing or online
- Removing areas of responsibility without good reason, unfounded criticism of the performance of work tasks, setting an individual up for failure with impossible workloads and deadlines, unreasonable refusal to consider a person for career progression
- Persistently ignoring or patronising a person
- Isolation or non-co-operation at work,
- Electronic transmission of pornographic, racist, homophobic or offensive material
- Making promises in return for sexual favours

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Sexual Harassment

A specific duty exists in relation to sexual harassment. Under this duty the Authority must take reasonable steps to prevent sexual harassment.

Sexual harassment can happen to men, women and people of any gender identity or sexual orientation. It can be carried out by anyone of the same sex, a different sex or anyone of any gender identity. It relates to behaviour which is sexual in nature rather than relating to sex.

Sexual harassment can be a one-off incident or an ongoing pattern of behaviour.

It can happen in person or in other ways, for example online for example email, social media or messaging tools e.g. WhatsApp.

Examples include:

- sexual comments or jokes
- displaying sexually graphic pictures, posters or photographs
- suggestive looks, staring or leering
- propositions and sexual advances
- making promises in return for sexual favours
- sexual gestures
- intrusive questions about a person's private or sex life or a person discussing their own sex life
- sexual posts or contact on social media
- spreading sexual rumours about a person
- sending sexually explicit emails or text messages
- unwelcome touching, hugging, massaging or kissing

The Service will undertake proactive actions including:

- Maintaining an effective bullying & harassment policy
- Undertaking training which includes a combination of face to face, virtual and/or e-learning.
- Education via information sharing and communication.

- Completing appropriate risk assessments.
- Maintaining effective safeguarding protocols.
- Provide appropriate information to 3rd party contractors or visitors to Service premises or events
- Maintaining access for all staff to an independent confidential reporting line.

Responsibilities

Managers need to develop a sensitive and non-judgmental approach when dealing with employees who speak to them about unacceptable behaviour. All employees should be alert to unacceptable behaviour and take appropriate action to stop that behaviour or to alert a manager that it is occurring.

Line Managers play a key role in identifying bullying and harassment in the workplace and are expected to intervene should they witness instances of bullying and harassment.

Managers do not have to wait until complaints are brought to their attention if they are aware of behaviour of other Managers or employees, which might cause offence. If the incident is not serious then calling the individual aside and carrying out some awareness raising may be sufficient to stop the behaviour. In more serious cases, disciplinary action may be appropriate.

Managers should: -

- Be non-judgmental - taking the matter seriously and listening to the person,
- Ensure that any discussion with an employee about their circumstances takes place in privacy
- Respect confidentiality - the consequences of bullying and harassment on the individual, their family or on the wider team is serious, and Managers and colleagues need to respect this.
- Understand employees may not wish to approach their line manager and may prefer to involve a third party such as a colleague, a trade union representative, another Manager or Professional Standards.

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- Find out what the employee wants, whether an informal or formal approach is appropriate and be aware of what support is available and exploring these options with the employee.

Employees who witness bullying, harassment, or have a reasonable belief that it is happening have a duty to intervene or report it in order to prevent it escalating.

Conference or training organisers should ensure attendees to Authority premises have been fully briefed on the expectations outlined within this policy and our clear position that bullying and harassment will not be tolerated.

Contractor and Suppliers, need to be advised that anyone attending Service premises are under the same duty to treat our colleagues with respect and dignity and actions.

Dealing with complaints

All internal complaints will be dealt with promptly and the allegations will be investigated under the Services grievance procedures (SI 0867 Grievance Procedures).

Some employees may wish to deal with the issue informally. In minor cases, it may be sufficient for the recipient to raise the problem in the first instance with the perpetrator pointing out the unacceptable behaviour. Advice and support can always be sought from People & Organisational Development.

If an independent, third person may be helpful to facilitate this discussion this may be organised through the Manager or via Professional Standards who may also suggest mediation. A number of formally qualified mediators are available across the service. People & Organisational Development can be contacted for further information.

If informal approaches do not work, or the issue is considered sufficiently serious, a formal approach may be triggered. MFRS does not tolerate towards bullying and harassment. Allegations related to bullying or harassment will be investigated appropriately and this may result in formal action being taken in accordance with the Services' conduct procedures.

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Where it is considered inappropriate or impracticable for the parties to work in proximity to each other, it may be necessary to relocate one or more of the parties temporarily as a neutral act and without apportioning any blame at this point. Whomever moves will be decided by business need and on a case-by-case basis.

Issues relating to members of the public, external victors, contractors or suppliers, will be managed by the relevant functional lead for the respective areas of business, with support from People & Organisational Development.

Potential outcomes

Employees who raise a grievance will be asked how they would like the issue to be resolved. Decisions will be communicated to the employee in writing without unreasonable delay and where appropriate should set out what action, the Manager intends to take to resolve the issue.

If the investigation into the issue has an impact on other employees, or if the issue raised highlights any policies, procedures or conduct matters, these will be addressed, monitored and reviewed to ensure that the outcome deals effectively with the issues.

Support Available

Employees may access support from several sources.

Employee Assistance Programme

Some situations involving conflict between persons are complex and may be difficult to resolve. In some circumstances, employees may prefer to obtain help from a person trained in dealing with sensitive and difficult issues.

MF&RS provides 24/7 access to a range of specialist support and information, including telephone and face-to-face counselling. The EAP service is confidential. More information on the EAP services can be obtained from the portal.

Trade Unions

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Employees who are members of a representative body may contact their trade union for advice if required.

People and Organisational Development

The Professional Standards team will be able to discuss with the employee how to raise a grievance. The Health and Wellbeing team can provide advice on how to deal with the physical and/or mental effects of bullying/ harassment and can provide access to trained counsellors. The Culture & Inclusion Team will be able to provide additional support and signpost employees as necessary.

Staff Network Chairs

Network chairs can provide a sounding board for network members who feel they may be subject to bullying and harassment. Network chairs will not be able to seek to resolve matters raised informally and will advise network members to report any alleged instances to Professional Standards.

All policies can be found on the Website

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